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UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA, :
: :
Plaintiff :
: :
CONNECTICUT FUND FOR THE : CIVIL ACTION NO.
ENVIRONMENT, INC. and : H-79-704(JAC)
TOWN OF SOUTHTON BOARD OF :
WATER COMMISSIONERS, :
: :
Plaintiffs- : AFFIDAVIT OF STEPHEN R.
Intervenors, : KELLOGG IN SUPPORT OF
: MOTION TO ADD NECESSARY
VS. : PARTIES
: :
SOLVENTS RECOVERY SERVICE OF :
NEW ENGLAND, INC., :
: :
Defendant :
STATE OF CONNECTICUT :
COUNTY OF FAIRFIELD : ss. Monroe

STEPHEN R. KELLOGG, of full age, being duly sworn
according to law, upon his oath deposes and says:

1. I am the President of York Wastewater Consultants, Inc. (YWC) and am familiar with the facts set forth herein.
2. Solvents Recovery Service of New England, Inc. (SRSNE) has retained YWC as consultants to design and to oversee

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construction and operation of a multi-point shallow well system at the SRSNE facility in Southington, Connecticut. I am personally involved in this project.

3. This groundwater recovery system is required by paragraph 8 of a Consent Decree entered into in the above matter among SRSNE, the United States Environmental Protection Agency and the Intervenor-Plaintiffs, which Consent Decree was approved by the Court on February 23, 1983.

4. The purpose of the groundwater recovery system is to capture contaminated groundwater at and emanating from the SRSNE facility so that the contaminants can be treated. YWC designed the system so that when the wells were pumping, they would create a cone of influence that would draw contaminated groundwater from underneath the SRSNE facility and from beyond the facility boundaries. As designed, the groundwater recovery system included the placement of wells off-site to verify that the system's cone of influence extended beyond the SRSNE property. The plans called for placement of three of these verification wells to the east of SRSNE on property that is owned by Cianci Construction Corp. (Cianci Property), and one verification well on property of Jadel Farms, Inc. to the south of the SRSNE property.

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5. From a purely technical viewpoint, the verification wells should be placed on the Cianci Property to determine best the extent of the off-site cone of influence of the groundwater recovery system. Pursuant to Paragraph 8B of the Consent Decree, SRSNE submitted to EPA plans and specifications that called for the placement of three of the verification wells on the Cianci property and one on the Jadel Farms property, and EPA approved those locations. When it became apparent, however, that Cianci would not willingly provide access to the Cianci Property for placement of the verification wells, I began discussing alternative locations for the verification wells with EPA. I suggested to EPA that the verification wells be placed on the eastern end of the SRSNE property as close to the border with the Cianci Property as possible. While this location is not the best, it certainly would indicate whether the well system's cone of influence extends beyond the eastern property boundary. To date, EPA has not approved this alternative location for the verification wells. Rather, EPA has continued to insist that SRSNE install the verification wells on the Cianci Property.

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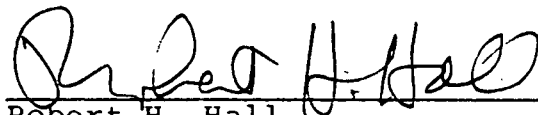
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Stephen R. Kellogg

Sworn to and subscribed before
me this 16th day of December,
1985.



Robert H. Hall
Commissioner of Superior Court